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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/770,162
Filing Date: January 26, 2001
Appellant(s): WATTS ET AL.

Stephen A. Terrile
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 3/26/2008 appealing from the Office action mailed 10/19/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,779,019	MOUSSEAU	08-2004
6,891,887	DOBSON	05-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mousseau et al. (US 6,779,019) in view of Dobson (US 6,891,887).

Referring to Claim 1, Mousseau teaches a mobile computing system comprising of:

A common communication device 10B and 12B (fig. 2);

a personal computing system (PC) 26 and 28 (fig. 2) coupled to the common communication device, the PC including a storage device capable of receiving and storing messages from the communication device (see col. 13, lines 35-40); and

a personal digital assistant system (PDA) 24 (fig. 2) coupled to the common communication device, the PDA including a storage device capable receiving and storing messages from the communication device, whereby the storage device of the PC is capable of synchronizing messages received from the common communication device with the storage device of the PDA (see col. 6, lines 22-43).

Mousseau does not teach the PC and the PDA capable of controlling the common communication device, but one of the PC and PDA controlling the common communication device at a given time. Dobson teaches the PC 540 (fig. 5) and the PDA

550 (fig. 5) capable of controlling the common communication device 560 or 570 (fig. 5), but one of the PC and PDA controlling the common communication device at a given time (see col. 9, lines 62-67 and col. 10, lines 1-16 noting that a printer and copier can only perform one operation from one machine at a time). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to teachings of Dobson to said device of Mousseau in order to provide convenience in data sharing between various types of mobile devices.

Referring to Claim 2, Mousseau also teaches the storage device of the PC as a memory array comprised of a set of records, and the storage device of the PDA is a memory array comprised of a set of records (see col. 7, lines 32-43).

Referring to Claim 3, Mousseau also teaches direct correspondence established between the set of records of the PC memory array and the set of records of the PDA memory array (see col. 7, lines 32-43).

Referring to Claim 4, Mousseau also teaches messages synchronized between the memory array of the PC and the memory array of the PDA (see col. 7, lines 27-31).

Referring to Claim 5, Mousseau also teaches messages synchronized between the records of the PC memory array and records of the PDA memory array (see col. 7, lines 27-31).

Referring to Claim 6, Mousseau also teaches a hard disk drive 10A (fig. 1 noting that every desktop computer has a hard disk drive).

Referring to Claim 7, Mousseau also teaches the hard disk drive comprised of a memory array, and the PDA storage device comprised of a memory array, wherein the

PC hard disk drive memory array corresponds directly to the PDA memory array (see col. 7, lines 32-43).

Claim 8 has similar limitations as Claim 1.

Referring to Claim 9, Mousseau also teaches the PDA comprising a memory array where messages are received and entered, and the memory array is synchronized into the PC (see col. 7, lines 32-43).

Referring to Claim 10, Mousseau also teaches the PC comprised of a memory array synchronized to the memory array of the PDA (see col. 7, lines 32-43).

Referring to Claim 11, Mousseau also teaches PC comprised of a hard disk drive synchronized to the memory array of the PDA 26 and 28 (fig. 2 noting that every desktop computer has a hard disk drive).

Referring to Claim 12, Mousseau teaches a method of clearing and archiving messages in a dual system computer architecture, the dual system computer architecture including a first computer system 26 and 28 (fig. 2) coupled to a common communication device 10B and 12B (fig. 2) and a second computer system 24 (fig. 2) coupled to the common communication device, the method comprising:

receiving and storing messages by the first computer system to a first memory device (see col. 13, lines 35-40);

synchronizing the messages with the second computer system, whereby the second computer system archives synchronized messages to a second memory device (see col. 6, lines 22-43); and

deleting synchronized and archived messages whenever the first memory device is filled (see col. 23, lines 15-23).

Mousseau does not teach the first computer system and the second computer system being capable of controlling the common communication device with one of the first computer system and the second computer system controlling the common-communication device at a given time. Dobson teaches the first computer system 540 (fig. 5) and the second computer system 550 (fig. 5) being capable of controlling the common communication device 560 or 570 (fig. 5) with one of the first computer system and the second computer system controlling the common-communication device at a given time (see col. 9, lines 62-67 and col. 10, lines 1-16 noting that a printer and copier can only perform one operation from one machine at a time). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to teachings of Dobson to said device of Mousseau in order to provide convenience in data sharing between various types of mobile devices.

Referring to Claim 13, Mousseau also teaches identifying the deleted messages in the first memory devices (see col. 23, lines 15-23).

Referring to Claim 16, Mousseau teaches a method of clearing and archiving messages in a dual system computer architecture, the dual system computer architecture including a first computer system 26 and 28 (fig. 2) coupled to a common communication device 10B and 12B (fig. 2) and a second computer system 24 (fig. 2) coupled to the common communication device, the method comprising:

receiving and storing messages by the first computer system to a first memory device (see col. 13, lines 35-40);

synchronizing the messages with the second computer system, whereby the second computer system archives synchronized messages to a second memory device (see col. 6, lines 22-43); and

informing a user whenever the first memory device is filled (see col. 23, lines 15-23).

Mousseau does not teach the first computer system and the second computer system being capable of controlling the common communication device with one of the first computer system and the second computer system controlling the common-communication device at a given time. Dobson teaches the first computer system 540 (fig. 5) and the second computer system 550 (fig. 5) being capable of controlling the common communication device 560 or 570 (fig. 5) with one of the first computer system and the second computer system controlling the common-communication device at a given time (see col. 9, lines 62-67 and col. 10, lines 1-16 noting that a printer and copier can only perform one operation from one machine at a time). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to teachings of Dobson to said device of Mousseau in order to provide convenience in data sharing between various types of mobile devices.

Referring to Claim 17, Mousseau also teaches deleting messages from the first memory device after the messages have been read by the user (see col. 23, lines 1-5).

Referring to Claims 14, 15, 18, and 19, Mousseau also teaches the first computer system as a PDA and the second computer system as a PC (see fig. 1).

Referring to Claims 20-27, Mousseau also teaches setting preferences as to received and stored messages (see col. 24, lines 30-40).

(10) Response to Argument

(A) The appellant argued that the Dobson reference does not teach a common communication device which is coupled to a PC and a PDA. The appellant further argued that the central node 500 of Dobson is not a common communication device which is coupled between a PC and a PDA.

In response to (A), Firstly, the claims do not state that the common communication device is coupled **between** the PC and PDA. In addition, the examiner does not state in the previous action that the common communication node is the central node 500 of Dobson. The examiner clearly stated that the common communication device is either the printer 560 or copier 570 (fig. 2). Furthermore, the claims also do not state that the PC and PDA are **directly** coupled to the common communication device. Is the Appellant intending for the claimed "common" to mean a direct connection?

Therefore, the examiner concludes that the PC and PDA are both coupled to the common communication device by way of the central node 500 and external adapted 517 and since the cited passage (see col. 9, lines 62-67 and col. 10, lines 1-16) clearly

states that the PC and PDA both can control the printer and copier, the Dobson reference still teaches a common communication device which is coupled to a PC and a PDA.

(B) Regarding claims 1 and 8, the appellant argued that the Mousseau and Dobson reference does not teach that "where the storage device of the PC synchronizes messages received from the common communication device with the storage device of the PDA, and where the PC and the PDA are capable of controlling the common communication device, but one of the PC and the PDA controlling the common communication device at a given time".

In response to (B), firstly, no detailed explanation is given as to why the references do not teach the above limitation. There is no elaboration as to why the cited printer or copier could not be interpreted as the claimed "common communication device." Both printer and copier are "common" to the PC and PDA as cited in the rejection. Therefore, the examiner will refer to the previous arguments in **(A)**. All of the statements made in response to **(A)** apply to this response and furthermore, the Dobson still clearly teaches that "where the PC and the PDA are capable of controlling the common communication device, but one of the PC and the PDA controlling the common communication device at a given time". Firstly, the examiner reiterates that the cited passage in Dobson (see col. 9, lines 62-67 and col. 10, lines 1-16) clearly states that the PC and the PDA are capable of controlling the common communication device. In addition, the claims do not state one **and only one** of the PC and the PDA controlling the common communication device at a given time. Therefore, the examiner only needs

to prove that one of the devices controls the printer and/or copier in general, which the Dobson reference clearly teaches. If the Appellant wishes to differentiate the "common communication device" from the above interpretation, then a more explicit definition may be required.

(C) Regarding Claim 12, the appellant argued that the Mousseau and Dobson references do not teach "a method of clearing and archiving messages in a dual system computer architecture which includes a first computer system coupled to a common communication device and a second computer system coupled to a common communication device, the first computer system and the second computer system are capable of controlling the common communication device with one of the first computer system and the second computer system controlling the common communication device at a given time, much less such a method which includes receiving and storing messages by the first computer system to a first memory device, synchronizing the messages with the second computer system, whereby the second computer system archives synchronized messages to a second memory device, and deleting synchronized and archived messages whenever the first memory device is filled".

In response to (C), once again the no detailed explanation is given as to why the references do not teach the above limitation. Therefore, the examiner will refer to the previous arguments in **(A)** and **(B)**. In addition, the cited passage in Mousseau (col. 23, lines 15-23) is still believed to clearly teach "deleting synchronized and archived messages whenever the first memory device is filled", in which the deleting process is more clearly shown in lines 20-23.

(D) The appellant argued that the Mousseau and Dobson references do not teach “a method of clearing and archiving messages in a dual system computer architecture which includes a first computer system coupled to a common communication device and a second computer system coupled to the common communication device, the first computer system and the second computer system are capable of controlling the common communication device with one of the first computer system and the second computer system controlling the common communication device at a given time, much less such a method which includes receiving and storing messages by the first computer system to a first memory device, synchronizing the messages with a second computer system, whereby the second computer system archives synchronized messages to a second memory device, and informing a user whenever the first memory device is filled”.

In response to (D), once again the no detailed explanation is given as to why the references do not teach the above limitation. Therefore, the examiner will refer to the previous arguments in **(A)** and **(B)**. In addition, the cited passage in Mousseau (col. 23, lines 15-23) is still believed to clearly teach “informing a user whenever the first memory device is filled”, where the user is obviously informed when the user notices that the earliest message is deleted.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Art Unit: 2618

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Eugene Yun/

Examiner, Art Unit 2618

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Matthew Anderson

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